

Hon. Noel L. Hillman, U.S.D.J.

JENNIFER WEBB-MCCRAE
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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
CIVIL NO. 20-11052 (NLH)

GEORGE B. SMITH,	:	
Petitioner,	:	
v.	:	<u>CIVIL ACTION</u>
EUGENE CALDWELL, et al	:	
Respondents.	:	

Respondents, by way of Answer to the Order to Show Cause entered on September 22, 2022 and directing the parties to show cause in writing why the petition should not be dismissed as moot, state the following:

1. Petitioner George B. Smith was sentenced on May 3, 2021 and remanded from the Cumberland County Jail to Southern State Correctional Facility.
2. Petitioner was thereafter released on or about March 13, 2022 and is, to Respondent's knowledge, no longer in custody at the Cumberland County Jail or at Southern State Correctional Facility.

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3. Accordingly, Respondent asserts that the Petition for Habeas Corpus, which alleged that Petitioner's pretrial detention at the Cumberland County Jail was unconstitutional due to the conditions therein, and sought as a remedy his immediate release, has been mooted by Petitioner's sentencing, change in custody, and eventual release.
3. Respondent further asserts that the Petition should be dismissed accordingly.

CONCLUSION

For reasons stated above Respondent respectfully requests that the Habeas Corpus Petition be dismissed as moot.

Respectfully submitted,

Jennifer Webb-McCrae
Cumberland County Prosecutor

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